

REMARKS/ARGUMENTS

Claim 1 stands rejected under 35 USC 103a as being unpatentable over Edelson (U.S. Patent No. 4,258,870), issued to Edelson on March 31, 1981. Edelson does show connected rods as stated by the Examiner. However, does not disclose or suggest the use of a locking rigidly supported vertical saddlebag as claimed by the inventor. Further, Edelson does not disclose any particular saddlebags but merely suggests strapping on any panniers well known in the art.

As stated, Edelson does not suggest locking these panniers but rather suggests strapping the panniers onto Edelson's supports by a buckle 12 and belt 13 (Column 3, Line 6). Edelson never discloses or suggests any means for locking these panniers to the supports. Therefore, there is no material found in Edelson that would provide motivation to do so.

U.S. Patent No. 6,029,875, issued to Johnston on February 20, 2000, merely discloses a knapsack and bicycle rack wherein the knapsack can be worn on the rider's back or taken off and placed on the bicycle rack in a horizontal position. Again, Johnston never discloses or suggests locking his knapsack to the bicycle rack. Further, Johnston never discloses or suggests having two opposing rigidly supported vertical side saddlebags. Nor does Johnston ever disclose or suggest locking his knapsack to the bicycle rack and has not disclosed anything remotely representing the inventor's claimed saddlebag locking mechanism. As was the case with Edelson, no motivation can be found in Johnston to make any modifications that can achieve the applicant's claimed invention.

U.S. Patent No. 3,937,341 issued to Hine on February 10, 1976 is a spring tensioned pannier that holds the pannier to the bicycle. Hine is not discussed in the Official Action with respect to Claim 1 except that it is merely referenced. Therefore, the applicant can not be sure why this reference was included. However, Hine's pannier is held to the supporting frame by

tensioning resilient members 34, 33 (column 3, line 35). Further, an upper rectangular bag attached to the supporting elements and serving to cover a locking member is never disclosed or suggested by Hine. Indeed, Hine never discloses or even suggests such a locking mechanism let alone an upper rectangular bag.

U.S. Patent No. 5,251,796 issued to Shelhart on October 12, 1993 does teach a u-shaped rod 12 as part of a locking mechanism. However, Shelhart's lock is locked only to the bicycle rack. Shelhart does not disclose or suggest two opposing rigidly supporting saddlebags that are locked to the supporting structure as claimed by the applicant.

The Official Action has merely selected parts from several patents to attempt to achieve the applicant's claimed invention. Further, the *Official Action* rendered the legal conclusion that sure an amalgamation is obvious even though there is no motivation found in any of the cited patents to make such a combination. Finally, even if the parts were combined, there is no likelihood that such a combination would achieve the objectives taught and claimed by the applicant.

In light of the above, the applicant respectfully requests that the rejection of Claim 1 be withdrawn. In that the remaining claims depend from an allowable Claim 1, the remaining claims are allowable.

It is felt that a full and complete response has been made to the *Official Action* as such, and places the application in condition for issue. Such issue is hereby respectfully requested. If the Examiner feels, for any reason, that a personal interview will expedite the prosecution of this application, the Examiner is invited to phone applicant's attorney.

Appl. No. 10/798,788
Amdt. Dated August 23, 2006
Reply to Official Action of April 26, 2006
Attorney File No. 8022-001

A Petition for A One Month Extension of Time Under 37 CFR 1.136(a) is attached along
with *Credit Card Payment* Form PTO-2038.

Please charge any additional fees or credit any overpayment required by this paper to
Deposit Account 502694.

Respectfully submitted,



William B. Ritchie,
Registration No. 33,118
Law Office of William B. Ritchie
1411 Northern Heights Drive NE
Rochester, MN 55906-4045
Telephone 507-536-4735
Facsimile 507-536-4705
Email bill@wbritchie.com